

Remarks

Claims 1-33 were presented for prosecution. Claim 23 has been amended.

In the Office Action, claims 2-5, 12-13, 18-21 and 33 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Applicant gratefully appreciates this indication, although Applicant submits that such a rewriting is not necessary because those dependent claims are allowable for their allowable base claims, as well as for their own additional features.

In the Office Action, claim 23 is objected to because the Office doubts "[h]ow a MB can be decoded back to compressed data[.]" (Office Action at page 2). Applicant has revised claim 23 for clarification. Accordingly, Applicant respectfully requests withdrawal of the objection.

In the Office Action, claims 1, 7, 10, 17, 26 and 31-32 are rejected under 35 USC 102(b) as allegedly being anticipated by Pauls, US 6,025,888 ("Pauls"); and claims 7-9, 11, 14-16, 22, 24-25, 27 and 29-30 are rejected under 35 USC 103(a) as allegedly being unpatentable over Pauls in view of Hagai et al., US 6,414,972 ("Hagai"). Applicant respectfully traverses those rejections for the reasons stated below.

With respect to independent claims 1, 10, 17, 26 and 32, Applicant submits that Pauls does not disclose each and every claimed feature. For example, the claimed invention includes, *inter alia*, "determining a relative importance of each macroblock in a video frame based on how often each macroblock acts as a reference macroblock[.]" as recited in claim 1 and claimed similarly in claims 10, 17, 26 and 32. Applicant submits that Pauls does not disclose, *inter alia*, this feature.

Pauls discloses a method for improving error recovery by determining a metric value for a given block position to indicate the relative importance of the given block position in determining decoded video quality. (See abstract.) In Pauls, "the metric is the number of times a particular macroblock position have been coded (in intra-coded form) since it was last refreshed, or in other words, the number of times macroblocks in the particular position have been coded since a macroblock in that position was last sent in intra-coded form." (Col. 5, lines 12-17). (Emphasis and parenthetical explanation added). In Pauls, "alternative metrics include, for example, the amount of motion detected in and around a macroblock, the location of a macroblock in a frame, the number of bits required to transmit the macroblock, the gain in signal-to-noise ratio attributed to coding of the macroblock, and the ratio of the gain in signal-to-noise ratio to the number of bits required to transmit the macroblock." (Col. 5, line 66 – col. 6, line 5). (Emphasis added).

The above disclosures of Pauls show that the metric in Pauls is not determined by "how often each macroblock acts as a reference macroblock[.]" (Claims 1, 10, 17, 26 and 32 of the current invention). Pauls purposefully uses no predictive coding to decrease error effects, and as a consequence, does not teach a reference macroblock. Rather, to improve error recovery, Pauls uses intra-coded macroblocks because "intra-coded macroblocks do not depend on any other macroblock from a previous or subsequent frame, and therefore effectively remove accumulated error effects which may have been associated with previously-transmitted macroblocks." (Col. 4, lines 51-55). By sharp contrast, the current invention uses predictive coding and determines a relative

importance of each macroblock in a video frame based on how often each macroblock acts as a reference macroblock.

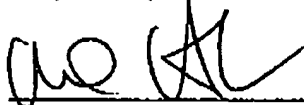
In view of the foregoing, Pauls does not anticipate the current invention.

Accordingly, Applicant respectfully requests withdrawal of the rejections.

The dependent claims not discussed above are believed allowable for the reasons discussed above, as well as for their own additional features.

Accordingly, Applicant respectfully submits that all claims are in condition for allowance. If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



Michael F. Hoffman  
Reg. No. 40,019

Dated:

9/14/05

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14th Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)